

- ☐ Original Application  
☐ PCT National Application  
U.S. Designated Office  
☒ Continuation or Divisional Application  
☐ Continuation-in-Part Application

**COMBINED DECLARATION,  
POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
ANALGESICS AND METHODS OF USE

☒ which is described in the specification and claims

☐ attached hereto.

☒ filed on July 15, 2004

Application Serial No. 10/501,692

and was amended on \_\_\_\_\_  
(if applicable)

☐ which is described in International Application No. \_\_\_\_\_

filed \_\_\_\_\_ and as amended on

\_\_\_\_\_  
(if any),

which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

# COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

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Attorney Docket No. END041182PCTUS

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT International Application having a filing date before that of the application on which priority is claimed:

Number	Country	Date of Filing (day,month,year)	Priority Claimed
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, §119(e) or §120 (as applicable) of any United States application(s) or §365(c) of any PCT International Application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112:

PCT/US02/27936

29 August 2002

(Application Serial No.)

(Filing Date)

(Status)(patented,pending,abandoned)

60/315,530

29 August 2001

(Application Serial No.)

(Filing Date)

(Status)(patented,pending,abandoned)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered attorneys associated with Piper Rudnick LLP and listed under **Customer No. 035811** and the following registered attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Jerold I. Schneider Reg. No. 24,765  
 Steven B. Kelber Reg. No. 30,073  
 T. Daniel Christenbury Reg. No. 31,750  
 Paul A. Taufer Reg. No. 35,703  
 Darius C. Gambino Reg. No. 41,472  
 James M. Heintz Reg. No. 41,828  
 Perry E. Van Over Reg. No. 42,197  
 Paul Carango Reg. No. 42,386

Lisa K. Norton Reg. No. 44,977  
 Patrick R. Delaney Reg. No. 45,338  
 Steven A. Nash Reg. No. 45,507  
 Christopher W. Raimund Reg. No. 47,258  
 Ping Wang Reg. No. 48,328  
 Andrew A. Noble Reg. No. 48,651  
 James E. Bauersmith Reg. No. 50,533

<p>SEND CORRESPONDENCE TO:  <b>Customer No. 035811</b>, whose contact information is:                      IP Department of Piper Rudnick LLP                      One Liberty Place, Suite 4900                      1650 Market Street                      Philadelphia, PA 19103</p>	<p>DIRECT TELEPHONE CALLS TO                      ATTORNEY OF RECORD AT:                        (215) 656-3300</p>
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## COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

(Page 3)

Attorney Docket No. END041182PCTUS

I hereby petition for grant of a United States Letters Patent on this invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1. FULL NAME OF SOLE OR FIRST INVENTOR Richard Smith-Carliss		INVENTOR'S SIGNATURE <i>Richard Smith-Carliss</i>	DATE 7/23/04
RESIDENCE West Chester, Pennsylvania		CITIZENSHIP United States of America	
POST OFFICE ADDRESS 621 Cricklewood Road, West Chester, PA 19382			
2. FULL NAME OF JOINT INVENTOR, IF ANY Frank S. Caruso		INVENTOR'S SIGNATURE	DATE
RESIDENCE Colts Necks, New Jersey		CITIZENSHIP United States of America	
POST OFFICE ADDRESS 2 Bowling Green, Colts Necks, NJ 07722-1300			
3. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY <del>Peter Crooks</del> PETER A. CROOKS		INVENTOR'S SIGNATURE <i>Peter A. Crooks</i>	DATE 8/5/04
RESIDENCE <del>Lexington, Kentucky</del> NICHOLASVILLE, KENTUCKY		CITIZENSHIP United States of America	
POST OFFICE ADDRESS 409 WEST BRANNON RD, NICHOLASVILLE, KY 40356 <del>University of Kentucky, 501 B Pharmacy Building, Rose Street, Lexington, KY 40536-0082</del>			
4. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Kenneth J. Kellar		INVENTOR'S SIGNATURE <i>Kenneth J. Kellar</i>	DATE 9/24/04
RESIDENCE Bethesda, Maryland		CITIZENSHIP United States of America	
POST OFFICE ADDRESS 7109 Braeburn Place, Bethesda, MD 20817			
5. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Yingxian Xiao		INVENTOR'S SIGNATURE <i>Yingxian Xiao</i>	DATE 9/24/04
RESIDENCE Potomac, Maryland		CITIZENSHIP United States of America	
POST OFFICE ADDRESS 11713 Tifton Drive, Potomac, MD 20854			
6. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
7. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

**SUBMITTED DECLARATION, POWER OF ATTORNEY AND PETITION**  
(Page 3)

I hereby petition for grant of a United States Letters Patent on this invention.

Attorney Docket No. EMD041162PCTUS

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1. FULL NAME OF SOLE OR FIRST INVENTOR <b>Richard Smith-Carlson</b>		INVENTOR'S SIGNATURE <i>Richard Smith-Carlson</i>		DATE <b>7/23/04</b>
RESIDENCE <b>West Chester, Pennsylvania</b>		CITIZENSHIP <b>United States of America</b>		
POST OFFICE ADDRESS <b>621 Crickwood Road, West Chester, PA 19382</b>				
2. FULL NAME OF JOINT INVENTOR, IF ANY <b>Frank S. Caruso</b>		INVENTOR'S SIGNATURE <i>Frank S. Caruso</i>		DATE <b>8/04/2004</b>
RESIDENCE <b>Cotts Neck, New Jersey</b>		CITIZENSHIP <b>United States of America</b>		
POST OFFICE ADDRESS <b>2 Bowling Green, Cotts Neck, NJ 07722-1300</b>				
3. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY <b>Peter Crooks</b>		INVENTOR'S SIGNATURE		DATE
RESIDENCE <b>Lexington, Kentucky</b>		CITIZENSHIP <b>United States of America</b>		
POST OFFICE ADDRESS <b>University of Kentucky, 501-B Pharmacy Building, Rose Street, Lexington, KY 40536-0082</b>				
4. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY <b>Kenneth J. Keller</b>		INVENTOR'S SIGNATURE		DATE
RESIDENCE <b>Bethesda, Maryland</b>		CITIZENSHIP <b>United States of America</b>		
POST OFFICE ADDRESS <b>7109 Birchum Place, Bethesda, MD 20817</b>				
5. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY <b>Yingxin Xiao</b>		INVENTOR'S SIGNATURE		DATE
RESIDENCE <b>Potomac, Maryland</b>		CITIZENSHIP <b>United States of America</b>		
POST OFFICE ADDRESS <b>11713 Tiffin Drive, Potomac, MD 20854</b>				
6. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
7. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				